1

2

3

4

5

6

7

8   **UNITED STATES DISTRICT COURT**

9   **EASTERN DISTRICT OF CALIFORNIA**

10

11   MELVIN JOSEPH SIMMONS,   Case No. 1:23-cv-00970-JLT-SAB

12   Plaintiff,   ORDER ADOPTING FINDINGS AND
                                               RECOMMENDATIONS, DENYING
13   v.   MOTION FOR RELIEF, DENYING
                                               MOTIONS FOR JOINDER, DISMISSING
14   U.S. DEPARTMENT OF HEALTH,   ACTION FOR BEING FRIVOLOUS AND
     EDUCATION AND WELFARE, *et al.*,   FOR FAILING TO STATE A COGNIZABLE
15   CLAIM, AND DIRECTING CLERK OF
                Defendants.   COURT TO CLOSE CASE
16
                                               (Docs. 1, 6, 7, 8, 13, 14, 15)
17

18   The assigned Magistrate Judge issued Findings and Recommendations recommending

19   that: Plaintiff's complaint be dismissed without leave to amend pursuant to 28 U.S.C. §

20   1915A(b)(1) as frivolous, and for failing to state a cognizable claim; that Plaintiff's motion for

21   relief (Doc. 6) be denied; that Plaintiff's motion for joinder (Doc. 7) be denied; that Plaintiff's

22   motion for joinder (Doc. 8) be denied; and that this action be dismissed. (Doc. 14.) Plaintiff

23   objected. (Doc. 15.)

24   Pursuant to 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a *de novo* review of the

25   case. Having carefully reviewed the entire file including the filed objections, which do not

26   meaningfully address the magistrate judges' reasoning, the Court concludes that the Findings and

27   Recommendations are supported by the record and by proper analysis. Thus, the Court

28   **ORDERS**:

1

1.   The Findings and Recommendations issued on August 14, 2023 (Doc. 14), are
ADOPTED IN FULL.

2.   Plaintiff's complaint is dismissed without leave to amend pursuant to 28 U.S.C. § 1915A(b)(1) as frivolous, and for failing to state a cognizable claim.

3.   Plaintiff's motion for relief (Doc. 6) is **DENIED**.

4.   Plaintiff's motion for joinder (Doc. 7) is **DENIED**.

5.   Plaintiff's motion for joinder (Doc. 8) is **DENIED**.

6.   This action is **DISMISSED** with prejudice.

7.   The Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Dated: **September 17, 2023**

UNITED STATES DISTRICT JUDGE